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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,612	05/25/2000	Georgia Hilton	P/48-1	7248

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EXAMINER

GRIER, LAURA A

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Applicant(s)

09/578,612

Applicant(s)

HILTON, GEORGIA

Examiner

Laura A. Grier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 27, 31-33 and 35-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27, 31-33, and 35-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 27, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nigel Lord in view of Matsushige, U. S. Patent No. 5487067.

Regarding claim 27, 31, 33 and 36, Lord discloses Master of Pop Reclaim Fon Memory (Pro Sound News). Lord discloses two identical pre-production studios, with identical mixing desks and ADTS and audio workstations (claim 33), which indicates a plurality of audio spaces comprising acoustically identical enclosures. However, Lord fails to disclose the enclosures being electrically connected as claimed.

Regarding the enclosures being electrically connected, in a similar field of endeavor, Matsushige discloses audio data communications among audio mixers in multiple production studios, wherein the communication link (claim 31) is conducted by a ring network (col. 25, lines 19-45 and figures 16-17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Lord by implementing a electrical communication link between the studios for the purpose enhancing the communication capability between the audio devices during audio production.

However, Lord and Matsushighe fails to disclose the enclosures enabling and identical audio signal to be transmitted across connecting audio spaces simultaneously. Providing an identical audio signal across connecting audio spaces was well known in the art. Thus, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the disclosure of Lord by implementing the technique of playing or broadcast the same audio signal over a plurality of audio spaces for the purpose of enable the listeners of the audio listening area to hear the same audio signal.

Regarding claim 32, Lord and Matsushighe discloses everything claimed as applied above (see claim 31). Lord and Matsushighe (Matsushighe) discloses the link as a ring network, which constitute as a wide area matrix network, and Matsushighe also discloses the data transfer via the Ethernet.

Regarding claim 35, Lord and Matsushighe discloses everything claimed as applied above (see claim 27). Lord and Matsushighe (Matsushighe) discloses that devices in one studio may be operable for another studio (col. 25, lines 41-45).

Regarding claims 37-38, Lord and Matsushighe discloses everything claimed as applied above (see claim 36). Lord and Matsushighe fails to discloses synchronizing the events in one audio space with another. Synchronzing audio events with other events, such as video was well known in the art. Thus, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Lord and Matsushighe by implementing synchronization the audio events with other events such as video for the purpose of enabling synchronized real-time editing and control of both the audio and video effects.

***Response to Arguments***

3. Applicant's arguments filed 3/27/06 have been fully considered but they are not persuasive.

The applicant argues the prior art of record fails to disclose the claimed invention in respect to the identical acoustical enclosures with identical acoustical equipment for a listener to receive a reproduced sound, indicating that the prior art fails to provide audio amplifiers, speaker systems, acoustical treatments, space geometry, furnishings, etc. The preceding arguments provided by the applicant consist of some explicit elements and/or components which have not been claimed or disclosed in the applicant's drawings. The applicant drawings are directed more towards a drawing of rooms, and drawings disclosing network equipment/connections, mixers/console, etc. No audio amplifiers, speakers or furniture is disclosed. In respect to acoustical treatments, any enclosed room, particularly a production studio is considered to have acoustical treatments. And, a listener in these rooms can be the sound engineers using the equipment. The claims have been considered in respect to the broadest interpretation of the claim language. Thus, the art rejection is maintained.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

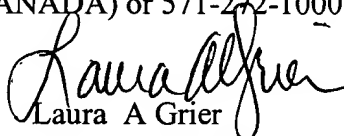
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A. Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Laura A Grier  
Primary Examiner  
Art Unit 2615

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